

EIGHTEENTH DAY.

Sentae Chamber,
Austin, Texas,
November 8, 1934.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll disclosed a quorum, the following Senators being present:

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

Prayer by the Chaplain.

On motion of Senator DeBerry, further reading of the Journal was dispensed with.

Committee Reports.

(See Appendix.)

Bills and Resolutions.**Senate Resolution No. 16.**

Senator Duggan sent up the following resolution:

Whereas, It is evident that under our tax systems as now administered the State of Texas is not collecting sufficient revenue to meet the requirements fixed by the Legislature for the various State agencies and institutions; and,

Whereas, There now exists a deficit of approximately fourteen million dollars (\$14,000,000) and despite the economies affected by the Forty-third Legislature the expenditures from tax funds now appear to be seven per cent (7%) in excess of revenues received; and,

Whereas, The value of all sorts of taxable property in Texas is at least \$10,250,000,000 and only \$3,198,117,451 of property was rendered for taxation in 1933; and,

Whereas, It is evident that about twice as much of the wealth of Texas

is escaping taxation altogether, as is being taxed, or is at least failing to carry its just portion of the tax burden; and,

Whereas, There exist many inequalities in our present system of levying taxes as well as in the administration of our tax system, all of which results in placing an unfair tax burden upon certain classes of property, while allowing other forms of property to escape just taxation; and,

Whereas, There are many sources of revenue which may be justly drawn upon by the State if our tax system is carefully studied and revised with a view of equally distributing the burden of taxation; therefore, be it

Resolved by the Senate of the State of Texas, That the President of the Senate appoint three members of the Senate who shall serve as a committee to make a study of the tax and financial situation in Texas with a view of distributing the tax burden more equitably by bringing all property under taxation of wealth now escaping its just burden; and of devising ways and means of amending our laws on taxation so that the inequalities and unfairness which now exist in our system and its administration will be eliminated as nearly as possible; and be it

Resolved, That the committee shall select its own chairman, and that meetings shall be held at such times and places as the majority of the committee may designate, and that the committee shall be authorized to employ a statistician and such other necessary employees as it may need and compensate them for their services.

Provided, further, that all expenditures of such committee shall be made upon the sworn account of the persons entitled to such pay when approved by the chairman and secretary of the committee. The secretary shall file with the State Comptroller of Public Accounts a statement showing in detail the expenditures made by such committee and the amounts and to whom all payments were made, and be it

Resolved, That all necessary expenses pertaining to said investigation and study including expenses of the committee while attending to such business shall be paid out of the contingent funds of the Forty-third Legislature for which sufficient

money is hereby appropriated. That said committee may call upon the Attorney General's Department for assistance and advice and it shall be the duty of the Attorney General's Department to render opinions, give counsel and assistance to said committee upon the request of the chairman or members of said committee.

Said committee may call upon all officers of the State Government, including county, district, and municipal officers to render assistance to said committee, and upon the request of the chairman or members of said committee it shall be the duty of all such officers to aid and assist said committee, and be it

Resolved, That the committee formulate and present to the Forty-fourth Legislature at its regular session, its recommendations in the form of a balanced, fair and effective tax and financial program, accompanied by such bill or bills as the committee may deem necessary to carry out such program, and balance the budget.

DUGGAN.

Read.

Senator Duggan asked unanimous consent to take up and consider without reference to a committee.

There was no objection.

The resolution was adopted by viva voce vote.

House Bill No. 68.

Senator Holbrook called up H. B. No. 68 out of its regular order and asked permission to take up and pass.

There was no objection.

H. B. No. 68, A bill to be entitled "An Act appropriating the sum of thirty thousand dollars (\$30,000), or so much thereof as may be necessary, out of any moneys in the State Treasury, not otherwise appropriated, to pay the mileage and per diem of Members and to pay the salaries and per diem of officers and employes of the Fourth Called Session of the Forty-third Legislature of the State of Texas, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 68 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

H. C. R. No. 3.

The Chair laid before the Senate the following resolution:

H. C. R. No. 3, Granting permission to Fred B. Hills and Miss Lottie Hills to bring suit joining Jefferson County, as a defendant with the American Elevator Company, Richards-Wilcox Manufacturing Company and the Hunter-Hays Company to determine liability and compensation

for damages received and resulting in the death of Mrs. Fred B. Hills.

Read second time and was adopted by viva voce vote.

H. C. R. No. 5.

The Chair laid before the Senate on its second reading the following resolution:

H. C. R. No. 5, Adjourning sine die, 12:00 noon, Saturday, November 10, 1934.

Laid on table subject to call.

S. C. R. No. 8.

Senator Purl sent up the following resolution:

Resolved by the Texas Senate, the House of Representatives concurring therein, That the Senators and Representatives from Texas in the Congress of the United States are respectfully requested to secure the passage of legislation which will provide that a special additional tax shall be levied by the Government of the United States on all sales in inter-state commerce of cigarettes if sold within any state or territory levying a state or local tax on cigarettes sold in intra-state commerce, which special additional Federal tax shall be equal in amount to such state or local tax.

PURL.

Read and adopted.

H. C. R. No. 7.

The Chair laid before the Senate on its second reading the following resolution:

H. C. R. No. 7, Instructing the State Highway Department to erect temporary markers upon and near the State highways designating the historic spots and sites, together with directional signs thereto.

Senator Redditt sent up the following amendment to H. C. R. No. 7:

Amend H. C. R. No. 7, fourth paragraph, line 3, by striking out the word "temporary," and in fifth paragraph, line 3, by striking out the words "temporary and," and in lines 4 and 5 of fifth paragraph by striking out the words "and not to erect permanent monuments."

The amendment was read and adopted.

H. C. R. No. 7 was adopted, as amended, by viva voce vote.

House Bill No. 4.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 4, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Fund; authorizing the payment of certain sums out of the Highway Fund; authorizing payment of said miscellaneous claims on the taking effect of this Act."

Read and laid on the table subject to call, on motion of Senator Woodruff.

House Bill No. 9.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 9, A bill to be entitled "An Act for procuring Federal funds to provide work for the relief of the unemployed persons of Texas; authorizing the State Highway Commission as defined herein, to construct toll bridges and approaches thereto on State highways with funds procured from the United States Government, its agencies and instrumentalities, through loans and grants, either or both, to operate and maintain said bridges and in reference to each such bridge to issue and to deliver to the United States Government, its agencies and instrumentalities, interest-bearing securities, bearing four per cent (4%) interest, with provisions for registration as to ownership; etc., and declaring an emergency."

Senator Poage sent up the following amendment:

Amend H. B. No. 9, Section 2 by striking out all of subsection (B) and by inserting in lieu thereof the following: "in the construction of such bridge the State Highway Commission may use funds granted by the Federal Emergency Administration of Public Works, and/or funds granted or furnished by any other Federal Agency or Agencies, and/or the proceeds of the bond issue to be voted and issued by Jefferson County for that purpose under the provisions of this Act; and the State Highway Commission may in addition use such State Highway funds as it may under existing law use for such purpose and as in its opinion the demands of the Highway System of this State may require, and may apply such

sums to the construction of such bridge and approaches thereto, notwithstanding any Act of the Legislature now prohibiting counties from aiding or contributing moneys to the improvement of any State highway, provided, however, nothing herein shall ever be construed as either adding to or detracting from the present existing powers and duties of the State Highway Commission to contribute or use any moneys from the State Highway Fund in the construction of such bridge or as indicating any intention on the part of the Legislature to direct the Highway Commission to make any contribution to the construction of said bridge."

POAGE.

Motion to Table.

Senator Cousins moved to table the amendment by Poage.

Second reading was called for.

The motion to table prevailed by the following vote:

Yeas—18.

Blackert.	Patton.
Cousins.	Purl.
Greer.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Neal.	Stone.
Pace.	Woodward.
Parr.	

Nays—9.

DeBerry.	Oneal.
Duggan.	Poage.
Collie.	Rawlings.
Moore.	Woodruff.
Murphy.	Woodul.

Absent.

Holbrook.

Absent—Excused.

Beck.	Fellbaum.
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Senator Poage sent up an amendment to H. B. No. 9:

Amend H. B. No. 9, by adding at the end of Section 7 the following: "and should the Highway Commission consider it advisable to contribute State Highway Funds in construction of said bridge, it shall not expend in excess of the total sum of three hundred thousand dollars of

State Highway Funds, or other State funds in construction and completion of said bridge, and shall not begin such construction, or any other work connected therewith until sufficient funds are furnished it to construct and complete said bridge, with the addition of said three hundred thousand dollars hereby authorized."

POAGE.

Recess.

On motion of Senator Sanderford the Senate recessed until 2 o'clock p. m.

Afternoon Session.

The Senate met at 2 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Edgar E. Witt.

At Ease.

On motion of Senator Holbrook the Senate stood at ease until 2:30 p. m.

House Bill No. 9.

Pending business was the second amendment by Poage on H. B. No. 9.

Motion to Table.

Senator Cousins moved to table the second amendment by Poage.

The motion to table prevailed by the following vote:

Yeas—19.

Blackert.	Purl.
Collie.	Rawlings.
Cousins.	Redditt.
Greer.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Pace.	Woodul.
Parr.	Woodward.
Patton.	

Nays—6.

DeBerry.	Oneal.
Moore.	Poage.
Murphy.	Woodruff.

Absent.

Duggan.	Neal.
Hopkins.	

Absent—Excused.

Beck.	Fellbaum.
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Senator Poage sent up the following amendment:

Amend H. B. No. 9 by adding at the end of Section 7 the following: "in no event shall the State Highway Department expend or pledge any funds either in the construction or completion of said bridge or other work connected therewith until sufficient funds are furnished to it to construct and complete said bridge together with all approaches thereto."

POAGE.

Privileged Motion.

Senator Woodruff moved the previous question on the pending amendments and the bill.

The motion was seconded.

Previous Question Ordered.

The previous question was ordered on the amendments and H. B. No. 9 by the following vote:

Yeas—14.

Blackert.	Patton.
Cousins.	Rawlings.
Holbrook.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Pace.	Woodruff.
Parr.	Woodward.

Nays—9.

Collie.	Oneal.
DeBerry.	Poage.
Greer.	Purl.
Moore.	Redditt.
Murphy.	

Absent.

Duggan.	Stone.
Hopkins.	Woodul.
Neal.	

Absent—Excused.

Beck.	Fellbaum.
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The Poage amendment No. 3 failed of adoption by the following vote:

Yeas—7.

DeBerry.	Poage.
Moore.	Purl.
Murphy.	Rawlings.
Oneal.	

Nays—20.

Blackert.	Duggan.
Collie.	Greer.
Cousins.	Holbrook.

Hornsby.	Regan.
Martin.	Sanderford.
Neal.	Small.
Pace.	Stone.
Parr.	Woodruff.
Patton.	Woodul.
Redditt.	Woodward.

Absent.

Hopkins.

Absent—Excused.

Beck.	Fellbaum.
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Amendment No. 4.

Senator Poage sent up the following amendment:

Amend H. B. No. 9, Section 3 by striking out the following words: "less the expense of their issuance and less the expense issued by the county in connection with the application for Federal Funds as provided in this Act."

POAGE.

The amendment No. 4, failed of adoption by the following vote:

Yeas—9.

DeBerry.	Poage.
Duggan.	Purl.
Moore.	Rawlings.
Murphy.	Woodruff.
Oneal.	

Nays—18.

Blackert.	Parr.
Collie.	Patton.
Cousins.	Redditt.
Greer.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Neal.	Woodul.
Pace.	Woodward.

Absent.

Hopkins.

Absent—Excused.

Beck.	Fellbaum.
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The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by the following vote:

Yeas—19.

Blackert.	Patton.
Cousins.	Purl.
Duggan.	Redditt.
Greer.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Neal.	Woodul.
Pace.	Woodward.
Parr.	

Nays—8.

Collie.	Oneal.
DeBerry.	Poage.
Moore.	Rawlings.
Murphy.	Woodruff.

Absent.

Hopkins.

Absent—Excused.

Beck. Fellbaum.

On motion of Senator Cousins the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 9 was put on its third reading and final passage by the following vote:

Yeas—23.

Blackert.	Patton.
Collie.	Purl.
Cousins.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Greer.	Sanderford.
Holbrook.	Small.
Hornsby.	Stone.
Martin.	Woodruff.
Neal.	Woodul.
Pace.	Woodward.
Parr.	

Nays—4.

Moore.	Oneal.
Murphy.	Poage.

Absent.

Hopkins.

Absent—Excused.

Beck. Fellbaum.

Previous Question.

Senator Patton moved the previous question on the final passage of H. B. No. 9.

The motion was seconded.

Previous Question Ordered.

The previous question was ordered on final passage of H. B. No. 9 by the following vote:

Yeas—18.

Blackert.	Patton.
Cousins.	Redditt.
Greer.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Neal.	Woodruff.
Pace.	Woodul.
Parr.	Woodward.

Nays—9.

Collie.	Oneal.
DeBerry.	Poage.
Duggan.	Purl.
Moore.	Rawlings.
Murphy.	

Absent.

Hopkins.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—22.

Blackert.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Neal.	Woodruff.
Pace.	Woodul.
Parr.	Woodward.

Nays—6.

Collie.	Murphy.
DeBerry.	Oneal.
Moore.	Rawlings.

Absent—Excused.

Beck. Fellbaum.

Motion to Reconsider.

Senator Poage moved to reconsider the vote by which H. B. No. 9 was passed.

Motion to Table.

Senator Woodward moved to table the motion to reconsider.

The Chair, Lieutenant Governor Edgar E. Witt, ruled that the motion to table could not be made because they were working under previous question.

Points of Order.

Senator Hornsby raised a point of order that on a motion to reconsider the time limit of ten minutes for discussion was applicable.

The Chair sustained the point of order.

Senator DeBerry raised a point of order that when the previous question was ordered on final passage, that the motion to reconsider was not debatable.

The Chair sustained the point of order.

The motion to reconsider the vote by which H. B. No. 9 finally passed was lost by viva voce vote.

House Bill No. 39.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 39, A bill to be entitled "An Act authorizing independent, consolidated, or common school districts to build or purchase buildings and grounds for the purpose of constructing gymnasia, stadia, or other recreational facilities, and to encumber the same and the income thereof to secure the payment of the purchase price to evidence the indebtedness created thereby by the issuance of bonds, notes, or other evidences of indebtedness; providing that the purchaser shall have a franchise to operate same in case of foreclosure; providing that such obligations shall never be a debt of such school district; providing that such projects shall be deemed self-liquidating in character; etc., and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote:

On motion of Senator Oneal the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 39 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

House Bill No. 4.

Senator Woodruff called from the table H. B. No. 4.

Senator Woodruff moved that H. B. No. 4 be laid back upon the table subject to call.

Motion to Set for Special Order.

Senator Purl moved that H. B. No. 4 be laid on the table and set for special order at 4:30 o'clock p. m.

The motion to set for special order lost by the following vote:

Yeas—10.

Cousins.	Poage.
DeBerry.	Purl.
Greer.	Small.
Hopkins.	Woodul.
Moore.	Woodward.

Nays—15.

Collie.	Patton.
Duggan.	Rawlings.
Hornsby.	Redditt.
Murphy.	Regan.
Neal.	Sanderford.
Oneal.	Stone.
Pace.	Woodruff.
Parr.	

Present—Not Voting.

Martin.

Absent.

Blackert. Holbrook.

Absent—Excused.

Beck. Fellbaum.

The motion to lay on table subject to call prevailed by viva voce vote.

House Bill No. 52.

Senator Greer called from the table H. B. No. 52:

H. B. No. 52, A bill to be entitled "An Act providing that the governing body of any city or town in this State, in making up the annual appropriation for the income and revenue of any waterworks system, electric light plant or system, sewer system, or other public utility system service or enterprise, now or hereafter owned and operated by any such city or town, shall first provide for maintenance and operating expenses of such system, service or enterprise, shall then provide for payment of principal and interest of any indebtedness outstanding against such system, service or enterprise, and may then make such appropriations as remaining income and revenue of such system, service or enterprise, may justify, to be appropriated among respective departments of the municipal government, or otherwise appropriated for public uses, as such governing body may deem best; etc., and declaring an emergency."

The bill was read the second time.

On motion of Senator Rawlings H. B. No. 52 was laid on the table subject to call.

Bills Signed.

The Chair, President Pro Tem., Walter Woodward, gave notice of signing, and did sign, in the presence of the Senate, after their captions

had been read, the following bills:

H. B. No. 68.

H. B. No. 7.

House Bill No. 26.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 26, A bill to be entitled "An Act amending Article 1976, of Title 42, Chapter 1, of the 1925 Revised Civil Statutes of the State of Texas, so as to provide the actual possession of property not necessary to maintain action provided for in Article 1975, Title 42, Chapter 1, of the 1925 Revised Civil Statutes of Texas; providing the manner of service on defendant or defendants in such action, and declaring an emergency."

Senator Woodward explained the bill.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Woodward the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 26 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Blackert.	DeBerry.
Collie.	Duggan.
Cousins.	Greer.

Holbrook.	Poage.
Hopkins.	Purl.
Hornsby.	Rawlings.
Martin.	Redditt.
Moore.	Regan.
Murphy.	Sanderford.
Neal.	Small.
Oneal.	Stone.
Pace.	Woodruff.
Parr.	Woodul.
Patton.	Woodward.

Absent—Excused.

Beck.	Fellbaum.
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House Bill No. 23.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 23, A bill to be entitled "An Act changing the time of holding the terms of the district court in the One Hundredth Judicial District, and providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in the counties composing said district; etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 23 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck.	Fellbaum.
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House Bill No. 31.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 31, A bill to be entitled "An Act validating bonds issued, authorized by ordinance to be issued and/or attempted to be issued under the authority of Article 1111 to 1118, both inclusive, of the Texas Revised Civil Statutes of 1925, and the amendment thereto contained in Acts, 1933, Forty-third Legislature, page 320, Chapter 122, for the purpose of improving and extending an existing municipal sewer system by Home Rule cities having a population in excess of 100,000 inhabitants according to the last preceding Federal census, and which bonds are payable exclusively from and revenue of such systems, etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Regan the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 31 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Holbrook.
Collie.	Hopkins.
Cousins.	Hornsby.
DeBerry.	Martin.
Duggan.	Moore.
Greer.	Murphy.

Neal.	Redditt.
Oneal.	Regan.
Pace.	Sanderford.
Parr.	Small.
Patton.	Stone.
Poage.	Woodruff.
Purl.	Woodul.
Rawlings.	Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

House Bill No. 63.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 63, A bill to be entitled "An Act to provide that all cities situated not more than one hundred (100) miles from the Gulf of Mexico and not more than fifty (50) miles from any stream forming an international boundary, may mortgage and encumber their abattoirs and the income thereof, for the purpose of constructing, acquiring or improving the same; providing for manner of issuance of notes or warrants for such purposes, and providing that this law shall take precedence over conflicting charter provisions; repealing all laws in conflict herewith; providing a saving clause, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Parr the

constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 63 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—27.

Blackert.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Nays—1.

Collie.

Absent—Excused.

Beck. Fellbaum.

House Bill No. 43.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 43, A bill to be entitled "An Act making appropriation for the enforcement of the Boxing and Wrestling Law during the fiscal year ending September 1, 1935, and declaring an emergency"

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Stone the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 43 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—24.

Blackert.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Neal.	Woodruff.
Pace.	Woodul.
Parr.	Woodward.

Nays—4.

Collie.	Murphy.
DeBerry.	Oneal.

Absent—Excused.

Beck. Fellbaum.

House Bill No. 53.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 53, A bill to be entitled "An Act making an appropriation to pay deficiency claims accruing in the State Banking Department during the fiscal year ending August 31, 1934, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 53 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed by viva voce vote.

House Bill No. 12.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 12, A bill to be entitled "An Act making appropriation for the manufacturing of typhus vaccines and serums by the State Health Department and paying for such extra labor as may be necessary, and declaring an emergency."

On motion of Senator Holbrook, H. B. No. 12 was laid on the table subject to call.

House Bill No. 67.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 67, A bill to be entitled "An Act authorizing cities and towns having a population of not more than twenty-eight thousand (28,000) inhabitants nor less than twenty-seven thousand (27,000) inhabitants, as shown by the next preceding Federal Census, to build, construct, enlarge, encumber or purchase municipal

boathouses, and boat piling protections, and wharfs, docks, walks, ways, walls, bulkheads and fills in connection with and in aid of the use of such boathouses and boat piling protections; etc., and declaring an emergency."

The bill was laid on the table subject to call.

House Bill No. 75.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 75, A bill to be entitled "An Act to amend Article 880 of the Penal Code of 1925 by providing that Brazoria County be added to the list of counties excepted from the provisions of said article, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 75 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Blackert.	Holbrook.
Collie.	Hopkins.
Cousins.	Hornsby.
DeBerry.	Martin.
Duggan.	Moore.
Greer.	Murphy.

Neal.	Redditt.
Oneal.	Regan.
Pace.	Sanderford.
Parr.	Small.
Patton.	Stone.
Poage.	Woodruff.
Purl.	Woodul.
Rawlings.	Woodward.

Absent—Excused.

Beck. Fellbaum.

House Bill No. 67.

Senator Parr called from the table H. B. No. 67.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by the following vote:

Yeas—26.

Blackert.	Parr.
Cousins.	Patton.
Duggan.	Poage.
Greer.	Purl.
Holbrook.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.
Martin.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.
Pace.	Woodward.

Nays—2.

Collie. DeBerry.

Absent—Excused.

Beck. Fellbaum.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 67 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Murphy.
Collie.	Neal.
Cousins.	Oneal.
DeBerry.	Pace.
Duggan.	Parr.
Greer.	Patton.
Holbrook.	Poage.
Hopkins.	Purl.
Hornsby.	Rawlings.
Martin.	Redditt.
Moore.	Regan.

Sanderford. Woodruff.
Small. Woodul.
Stone. Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed
by the following vote:

Yeas—26.

Blackert. Parr.
Cousins. Patton.
Duggan. Poage.
Greer. Purl.
Holbrook. Rawlings.
Hopkins. Redditt.
Hornsby. Regan.
Martin. Sanderford.
Moore. Small.
Murphy. Stone.
Neal. Woodruff.
Oneal. Woodul.
Pace. Woodward.

Nays—2.

Collie. DeBerry.

Absent—Excused.

Beck. Fellbaum.

House Bill No. 15.

The Chair laid before the Senate
on its second reading the following
bill:

H. B. No. 15, A bill to be entitled
"An Act to make it unlawful to take
or catch in any manner from any of
the public waters, rivers, creeks or
lakes in Gonzales County, any bass,
crappie, white perch, calico bass or
bream, or to have in his possession or
retain in any way any bass, crappie,
white perch, calico bass or bream
caught or taken from such waters
during certain months; and fixing a
penalty for violation of this Act."

Senator Hopkins got unanimous
consent to send up the following
amendments:

Amendment No. 1.

Amend H. B. No. 15 by adding
thereto a section to be designated as
Section 3 to read as follows:

Sec. 3. The fact that great losses
are now being suffered in the taking
of fish from the public waters of
Gonzales County under the closed
season as it now exists under the
statutes and numbers of violations
are occurring constantly, and it is

necessary to stop such violations in
order to preserve and protect the
fish of said county, creates an emer-
gency and an imperative public
necessity that the constitutional rule
that all bills be read on three several
days in each House be suspended and
said rule is hereby suspended, and
this Act shall take effect and be in
force from and after its passage, and
it is so enacted.

HOPKINS.

Read and adopted.

Amendment No. 2.

Amend the caption of H. B. No. 15
to conform to the body of the bill.

HOPKINS.

Read and adopted.

The committee report recommend-
ing that the bill be not printed was
adopted by unanimous consent.

The bill as amended was read sec-
ond time and passed to third reading
by viva voce vote.

On motion of Senator Hopkins, the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 15 was put
on its third reading and final passage
by the following vote:

Yeas—28.

Blackert. Pace.
Collie. Parr.
Cousins. Patton.
DeBerry. Poage.
Duggan. Purl.
Greer. Rawlings.
Holbrook. Redditt.
Hopkins. Regan.
Hornsby. Sanderford.
Martin. Small.
Moore. Stone.
Murphy. Woodruff.
Neal. Woodul.
Oneal. Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed
by the following vote:

Yeas—28.

Blackert. Hopkins.
Collie. Hornsby.
Cousins. Martin.
DeBerry. Moore.
Duggan. Murphy.
Greer. Neal.
Holbrook. Oneal.

Pace.	Regan.
Parr.	Sanderford.
Patton.	Small.
Poage.	Stone.
Purl.	Woodruff.
Rawlings.	Woodul.
Redditt.	Woodward.

Absent—Excused.

Beck. Fellbaum.

House Bill No. 40.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 40, A bill to be entitled "An Act amending Chapter 28 of the Special Laws of the First Called Session of the Forty-third Legislature, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Redditt, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 40 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Blackert.	Hopkins.
Collie.	Hornsby.
Cousins.	Martin.
DeBerry.	Moore.
Duggan.	Murphy.
Greer.	Neal.
Holbrook.	Oneal.

Pace.	Regan.
Parr.	Sanderford.
Patton.	Small.
Poage.	Stone.
Purl.	Woodruff.
Rawlings.	Woodul.
Redditt.	Woodward.

Absent—Excused.

Beck. Fellbaum.

House Bill No. 42.

The Chair laid before the Senate the following bill:

H. B. No. 42. A bill to be entitled "An Act making appropriation out of any moneys appropriated to pay for record cases, equipment and furnishings for the Record Bureau to be purchased by the State Board of Control, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 42 was put on its second reading by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 42 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Cousins.
Collie.	DeBerry.

Duggan.	Patton.
Greer.	Poage.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Redditt.
Martin.	Regan.
Moore.	Sanderford.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Pace.	Woodul.
Parr.	Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed
by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

House Bill No. 73.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 73, A bill to be entitled "An Act providing for an open season for taking pelts of fur-bearing animals in Tom Green, Irion, Sterling, and Reagan Counties, shall be during the months of December, January, and February of each year, excepting muskrats, the open season for which shall be from the first day of November to first day of April, both days inclusive, and declaring an emergency."

H. B. No. 73 was laid on the table subject to call.

House Bill No. 70.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 70, A bill to be entitled "An Act to amend Chapter 13 of

Title 49, Revised Civil Statutes of 1925, by adding thereto an additional article to be known as Article 2790-d, authorizing independent school districts located partly in three or more counties of this State to issue refunding warrants in lieu of and in extension of eligible vouchers; etc., and declaring an emergency."

Senator Blackert sent up the following amendment to H. B. No. 70:

Amendment No. 1.

Amend H. B. No. 70 by inserting immediately after the enacting clause the following:

Section 1. That there be added to Chapter 13 of Title 49, Revised Civil Statutes of 1925, a new article to be known as Article 2790d, to read as follows:

"and change the following section numbers accordingly."

BLACKERT.

Read and adopted.

Amendment No. 2.

Amend H. B. No. 70 by changing the article number in the body of the bill after the enacting clause from Article 2790c to Article 2790d.

BLACKERT.

Read and adopted.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill as amended was read second time and passed to third reading by viva voce vote.

On motion of Senator Blackert, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 70 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Neal.
Collie.	Oneal.
Cousins.	Pace.
DeBerry.	Parr.
Duggan.	Patton.
Greer.	Poage.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Redditt.
Martin.	Regan.
Moore.	Sanderford.
Murphy.	Small.

Stone. Woodul.
Woodruff. Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed
by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

House Bill No. 41.

The Chair laid before the Senate
on its second reading the following
bill:

H. B. No. 41, A bill to be entitled
"An Act amending Senate Bill No.
22, Chapter 69, page 164, Acts of
the Second Called Session of the
Forty-third Legislature, by providing
that a new section to be added to be
known as Section 10-a; amending
Section 14 of said Senate Bill No. 22;
and further providing that the Texas
Centennial Commission may contract
or agree with any private parties,
association or corporation for the
financing of such Texas Centennial,
for profit; etc., and declaring an
emergency."

Senator Purl moved to lay the bill
on the table subject to call.

Senator Small objected.
Pending.

Senate Resolution No. 17.

Senators Hornsby and Hopkins
sent up the following resolution:

Whereas, The Honorable Martin
Faust, who served in the Senate of
Texas during the years 1918-1921,
is now in the Senate Chamber; now,
therefore, be it

Resolved by the Senate of Texas,
that Senator Faust be and he is here-
by invited to briefly address the

Senate and be extended the priv-
ileges of the floor.

HORNSBY,
HOPKINS.

Read and adopted unanimously.

The Chair, Lieutenant Governor
Edgar E. Witt, appointed Senator
Hopkins and Senator Hornsby to es-
cort the Hon. Martin Faust to the
platform.

Senator Hopkins introduced the
visitor.

Senator Faust addressed the Sen-
ate briefly.

House Bill. No. 41.

The committee report recommend-
ing that the bill be printed was
adopted by unanimous consent.

The bill was read second time and
passed to third reading by viva voce
vote:

On motion of Senator Small, the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 41 was put
on its third reading and final passage
by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck. Fellbaum.

Read third time and finally passed
by the following vote:

Yeas—22.

Blackert.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Neal.	Woodruff.
Pace.	Woodul.

Nays—6.

Collie.	Oneal.
Holbrook.	Redditt.
Murphy.	Woodward.

Absent—Excused.

Beck.	Fellbaum.
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S. C. R. No. 6.

The Chair laid before the Senate on its second reading the following resolution:

Whereas, On or about December 19, 1933, W. H. McKenzie of Monahans, Texas, was an employee of the State Highway Department, and had been so employed for a period of more than three years, and on the date referred to was working on the Bankhead Highway No. 1 of the State of Texas; and,

Whereas, While hauling caliche from a caliche pit, said pit caved in, injuring his spine to the extent that he is permanently crippled and will never be able to stand or walk, causing him to be a dependent the remainder of his life; and,

Whereas, Mr. McKenzie, by reason of these injuries, has had no income and is, therefore, in destitute circumstances and has been compelled to accept the aid of the R. F. C., the county in which he resides, and the Masonic Lodge to support his family; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, that the said W. H. McKenzie be and he is hereby granted permission to bring suit against the State of Texas in a court of competent jurisdiction to determine what compensation he is entitled to receive by reason of injuries received while an employee of the State Highway Department, and that in case such suit be filed service of citation or other necessary process may be had upon the Highway Commission and Attorney General with the same force and effect as is made and provided in civil suits.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendment was adopted.

The resolution was read second time and passed to third reading by viva voce vote.

On motion of Senator Regan the constitutional rule requiring resolu-

tions to be read on three several days was suspended and S. C. R. No. 6 was put on its third reading and final passage by viva voce vote.

Read third time and finally passed by viva voce vote.

Senate Bill No. 19.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 19, A bill to be entitled "An Act to amend Subdivision 44 of Article 1302, Title 32 of the Revised Civil Statutes of Texas, 1925, by providing additional purposes for which corporations may be formed under the laws of the State of Texas, and further specifically providing that the drilling and operation of mineral water wells and the manufacturing of mineral crystals and other by-products of mineral water therefrom and the sale of such products of mineral water may be combined with the business of conducting a hotel, office building, opera and playhouse department house, or steam laundry, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Woodruff the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 19 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Beck.	Fellbaum.
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Senate Bill No. 21.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 21, A bill to be entitled "An Act amending Article 2827 of the Revised Civil Statutes of 1925 by adding thereto subdivision 3 authorizing independent school districts of the class defined in this Act to issue notes in purchasing lands and erecting buildings for school purposes and to secure such notes by vendor's liens and/or deed of trust liens on the property so acquired and to make provision for the payment of such debts and interest thereon by setting aside for and appropriating to that purpose a part of the local school funds of the district for the current year and/or subsequent years, the part so set aside not to exceed in the aggregate for any one subsequent year ten (10%) per cent of the local school funds collected in that year; repealing all laws and parts of laws in conflict with this Act; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 21 was put on its third reading and final passage by the following vote:

Yeas—28.

Blackert.	Cousins.
Collie.	DeBerry.

Duggan.	Patton.
Greer.	Poage.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Redditt.
Martin.	Regan.
Moore.	Sanderford.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Pace.	Woodul.
Parr.	Woodward.

Absent—Excused.

Beck.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—27.

Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Nays—1.

Murphy.

Absent—Excused.

Beck.	Fellbaum.
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Motion to Reconsider.

Senator Small moved to reconsider the vote by which H. B. No. 41 finally passed and spread on the Journal.

House Bill No. 47.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 47, A bill to be entitled "An Act to amend Chapter 68, Acts of the First Called Session of the Forty-third Legislature, creating a conservation and reclamation district by the name of 'Lower Neches Valley Authority,' so as to better provide for securing Federal funds for such district and provide work for the relief of unemployed persons of Texas, and requiring submission by

said district preliminary to issuing any obligations under said Act, of a certified copy of such obligations and of the proceedings authorizing the issuance of such obligations to the Attorney General of Texas for approval, and requiring such obligations, when so approved, to be registered by the Comptroller of the State of Texas; etc., and declaring an emergency."

Motion to Table.

Senator Holbrook moved to table the Committee Amendment to H. B. No. 47.

Senator Holbrook withdrew his motion to table.

Senator Moore sent up the following amendment:

Amend the pending committee amendment by adding at the end thereof the following:

"Provided that none of the funds herein appropriated shall be used to pay for options on lands in said district."

MOORE.

Read.

Motion to Table.

Senator Holbrook moved to table the Moore amendment.

The motion to table lost by the following vote:

Yeas—11.

Collie.	Oneal.
DeBerry.	Rawlings.
Holbrook.	Sanderford.
Hornsby.	Woodruff.
Martin.	Woodward.
Murphy.	

Nays—14.

Blackert.	Parr.
Cousins.	Patton.
Greer.	Poage.
Hopkins.	Redditt.
Moore.	Regan.
Neal.	Stone.
Pace.	Woodul.

Present—Not Voting.

Purl.

Absent.

Duggan. Small.

Absent—Excused.

Beck. Fellbaum.

The Moore amendment was adopted by the following vote:

Yeas—15.

Blackert.	Patton.
Cousins.	Poage.
Greer.	Purl.
Hopkins.	Redditt.
Moore.	Regan.
Neal.	Stone.
Pace.	Woodul.
Parr.	

Nays—11.

Collie.	Oneal.
DeBerry.	Rawlings.
Holbrook.	Sanderford.
Hornsby.	Woodruff.
Martin.	Woodward.
Murphy.	

Absent.

Duggan. Small.

Absent—Excused.

Beck. Fellbaum.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendment was adopted.

The bill was read second time and passed to third reading by the following vote:

Yeas—15.

Blackert.	Patton.
Cousins.	Poage.
Greer.	Purl.
Hopkins.	Redditt.
Moore.	Regan.
Neal.	Stone.
Pace.	Woodul.
Parr.	

Nays—11.

Collie.	Oneal.
DeBerry.	Rawlings.
Holbrook.	Sanderford.
Hornsby.	Woodruff.
Martin.	Woodward.
Murphy.	

Absent.

Duggan. Small.

Absent—Excused.

Beck. Fellbaum.

On motion of Senator Cousins the constitutional rule requiring bills to

be read on three several days was suspended and H. B. No. 47 was put on its third reading and final passage by the following vote:

Yeas—21.

Blackert.	Patton.
Collie.	Poage.
Cousins.	Purl.
Greer.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.
Martin.	Sanderford.
Moore.	Stone.
Neal.	Woodul.
Pace.	Woodward.
Parr.	

Nays—5.

DeBerry.	Oneal.
Holbrook.	Woodruff.
Murphy.	

Absent.

Duggan,	Small.
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Absent—Excused.

Beck.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—19.

Blackert.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Greer.	Redditt.
Hopkins.	Regan.
Martin.	Sanderford.
Moore.	Stone.
Neal.	Woodul.
Pace.	Woodward.
Parr.	

Nays—8.

Collie.	Murphy.
DeBerry.	Oneal.
Holbrook.	Rawlings.
Hornsby.	Woodruff.

Absent.

Small.

Absent—Excused.

Beck.	Fellbaum.
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Special Order Set.

Senator Woodruff asked unanimous consent that H. B. No. 4 be called from the table and set for

special order Friday morning at 10 o'clock.

Unanimous consent was granted.

Messages from the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, Nov. 8, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 42, A bill to be entitled "An Act making appropriation out of any moneys appropriated to pay for record cases, equipment and furnishings for the Record Bureau to be purchased by the State Board of Control, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Nov. 8, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 69, A bill to be entitled "An Act amending Section 1, of Chapter 216, Acts of Regular Session, Forty-third Legislature, and Section 1, Chapter 220, Acts of Regular Session, Forty-third Legislature, defining the fund and restoring the amount of the compensation of the county commissioners and the county judge to be paid in counties having a population of not less than 34,600, nor more than 34,800; etc., and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills Referred.

H. B. No. 69 referred to the Committee on State Affairs.

H. B. No. 42, referred to the Committee on Finance.

Recess.

On motion of Senator Woodul the Senate at 5:50 o'clock p. m., recessed until 10 o'clock a. m., Friday.

APPENDIX.**Committee on Engrossed Bills.**

Committee Room,
Austin, Texas, Nov. 8, 1934.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 4 carefully read and examined and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, Nov. 8, 1934.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 8 carefully read and examined and find same correctly engrossed.

REGAN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Nov. 7, 1934.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 42, A bill to be entitled "An Act making appropriation, out of any moneys appropriated to pay for record cases, equipment and furnishings for the Record Bureau to be purchased by the State Board of Control, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, Nov. 8, 1934.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 70, A bill to be entitled "An Act to amend Chapter 13 of Title 49, Revised Civil Statutes of Texas, of 1925, by adding thereto an additional Article to be known as Article 2790d, authorizing independent school districts located partly in three or more counties of this State to issue refunding warrants in lieu of and in extension of eligible vouchers, defining eligible vouchers which

may be so refunded, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed, in as much as S. B. No. 18, which is the same bill, has been printed in the Journal.

NEAL, Chairman.

Committee Room,
Austin, Texas, Nov. 8, 1934.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 55, A bill to be entitled "An Act empowering counties through their commissioners courts, to provide for annual exhibits of horticulture and agricultural products, livestock and minerals and other products of interest to such counties and in connection therewith to establish and maintain museums, including the erection of the necessary buildings and other improvements, and authorizing incorporated cities to cooperate with the commissioners courts of such counties in providing for such exhibits; establishing and maintaining said museums and in erecting said buildings and improvements, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Vice-Chairman.

Committee Room,
Austin, Texas, Nov. 8, 1934.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

H. C. R. No. 4, Protesting the classifications of wage scales under a ruling of Thomas H. McDonald, Chief of Bureau, and directing that such protest be sent to President Roosevelt and the Administrator.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PURL, Chairman.